

REMARKS

Claims 1, 4-8 and 11-15 are pending in this application. By this Amendment claims 2, 3, 9 and 10 have been canceled without prejudice or disclaimer, and claims 1 and 7 have been amended. In particular, the features of claims 2 and 3 have been incorporated into claim 1, and the features of claims 9 and 10 have been incorporated into claim 7.

The attached Appendix includes marked-up copies of each rewritten claim (37 C.F.R. §1.121(c)(1)(ii)).

Entry of the amendments is proper under 37 CFR §1.116 since the amendments: (a) place the application in condition for allowance for the reasons discussed herein; (b) do not raise any new issue requiring further search and/or consideration since the amendments amplify issues previously discussed throughout prosecution; (c) satisfy a requirement of form asserted in the previous Office Action; (d) do not present any additional claims without canceling a corresponding number of finally rejected claims; and (e) place the application in better form for appeal, should an appeal be necessary. The amendments are necessary and were not earlier presented because they are made in response to arguments raised in the final rejection. Entry of the amendments is thus respectfully requested.

I. Drawings

The Office Action has indicated that the Examiner has not received new formal drawings. Applicants have submitted new formal drawings with the March 6, 2002 Amendment. However, to obviate this objection, Applicants are submitting another set of formal drawings with this response.

II. Prior Art Rejections

The Office Action rejects claims 1, 5-7 and 11 under 35 U.S.C. §103(a) as being unpatentable over Dillon (U.S. Patent No. 5,727,065); and rejects claims 2-4, 8-10 and 15

under 35 U.S.C. §103(a) as being unpatentable over Dillon in view of Downs (U.S. Patent No. 6,226,618 B1). Applicants respectfully traverse these rejections.

In particular, neither Dillon nor Downs, individually or in combination, disclose or suggest a content distribution¹ method where summary information showing a summary of contents is attached to the encrypted contents, and the summary information is displayed only in cases accompanied by decoding information for decoding encrypted contents corresponding to the summary information, as recited in independent claim 1, and similarly recited in independent claim 7.

The Office Action on page 6 acknowledges that Dillon fails to disclose or suggest this feature. However, the Office Action suggests that Downs disclose this feature. Downs disclose that information is displayed which includes extracted Metadata 173 for a music sample, graphic images associated with a song and information describing the song and a preview clip of the song. However, purchasable content 113 such as the song and the lyrics, which the Content Provider(s) 101 wishes to protect, is not accessible to the retail content website 180. See for example, col. 73, lines 13-40. Simply stated, Downs display summary information to the users, but does not display protected information, which according to Downs, may be accessible for a fee.

On the contrary and contrast to the claimed invention, independent claim 1 recites that summary information is displayed only in cases accompanied by decoding information for decoding encrypted contents corresponding to the summary information.

Therefore, Applicants submit that independent claims 1 and 7 define patentable subject matter. Claims 4-6 depend from independent claim 1, and claims 8 and 11-15 depend from independent claim 7, and therefore also define patentable subject matter. Accordingly, Applicants respectfully request that the rejections under 35 U.S.C. §103(a) be withdrawn.

III. Conclusion

In view of the foregoing amendments and remarks, Applicants submit that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1, 4-8 and 11-15 are earnestly solicited.

Should the Examiner believe anything further would be desirable in order to place this application in better condition for allowance, the Examiner is invited to contact Applicants' undersigned attorney at the telephone number listed below.

Respectfully submitted,


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Date: August 13, 2002

Attachments:

Appendix
Letter to the Official Draftsperson
Formal Drawings

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<p>DEPOSIT ACCOUNT USE AUTHORIZATION Please grant any extension necessary for entry; Charge any fee due to our Deposit Account No. 15-0461</p>

APPENDIX

Changes to Claims:

Claims 2, 3, 9 and 10 are canceled.

The following is a marked-up version of the amended claims:

1. (Amended) A contents distribution method for distributing digitized contents to plural users, comprising the steps of:

encrypting and distributing contents to the plural users;

selecting by a user at least one of the encrypted content from the distributed contents;

decoding the encrypted contents and utilizing thereof by a the user; and

showing summary information that is a summary of said contents attached to

said encrypted contents, said summary information is displayed only in case it

is

accompanied by decoding information for decoding encrypted contents

corresponding to said summary information; and

executing accounting to the user according to said utilized contents.

7. (Amended) A contents distribution system that distributes digitized contents to plural users, comprising:

a distribution device that distributes encrypted contents;

a user terminal that receives encrypted contents distributed by said distribution device, said user terminal displays said list information and said summary information; and
said user terminal decodes only encrypted contents selected by a user based upon said
displayed list information and summary information out of said encrypted contents received,
said user terminal displays only list information and summary information respectively
corresponding to encrypted contents having decoding information out of said list information

and said summary information, the user terminal selects at least one encrypted content from the distributed encrypted contents, and generates accounting information according to the utilization of said received-selected encrypted contents; and

a central station that collects and totalizes accounting information generated by said user terminal.